

REMARKS/ARGUMENTS

The Applicant acknowledges, with thanks, the receipt of the office action dated July 24, 2007. Claims 39-59, 62-68, and 71-72 are pending. In view of the amendments and argument set forth, it is submitted that all claims are patentably distinct over the art of record.

Claims 39-40, 42-45, 47, 48, 50-53, 55-56, 58-62, 64-65, 67-71 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Publication No. 2003/0048473 to Rosen in view of U.S. Patent No. 6,681,392 to Henry et al. in view of U.S. Patent No. 6,594,690 to Cantwell, and further in view of U.S. Patent No. 6,671,749 to Williams et al.

It is respectfully concluded that, with the subject four-way combination, the Examiner is at best attempting to build the claimed elements using Applicants' own teaching as a roadmap to reconstruct the claims in a piecemeal fashion. While the initial reaction was to address this deficiency before the USPTO Board of Appeals, in the interest of expediency, the subject amendment seeks to further clarify the novelty of the subject application. It is hoped that the Examiner appreciates the further clarifications over the art of record in view of the amendments and discussions below.

By way of review, the subject application is directed to a system and method for network-based uploading of drivers for document processing devices. In one embodiment, a plurality of alternative software drivers or components of device software, including at least one executable software installation utility, is received into a memory integrated with a document processing controller, wherein the software drivers or components are for use with associated workstations or client machines in communication with a document processing device associated with the controller. A graphical user interface is generated on the associated workstations, wherein the user interface includes a list of each of the plurality of available software drivers stored in the memory. Thus, the application facilitates a listing of available driver options on an interface, such as a thin client or web browser, wherein drivers that are available for download and installation are displayed and selectable. Insofar as the subject application envisions installation of drivers in various platforms, operating system data representative of an operating system type associated with various drivers is received and selectable via the graphical user interface.

A user selects, via the graphical user interface, one of the plurality of software drivers to be transferred to a storage area on an associated workstation via the graphical user interface in accordance with received operating system data and identifies at least one executable software

installation utility associated with the at least one software driver. After the selected driver and corresponding installation utility has been downloaded in accordance with a user's selection, localized operation of the installation utility is commenced so as to install the at least one of the plurality of software drivers thereon.

The deficiencies in the teachings of Rosen, Henry and Cantwell remain as discussed previously, and as acknowledged by the Examiner in the subject Office Action. The Examiner now seeks to supplement this combination with the additional teachings of Williams. The Examiner's disparate art now includes Rosen, which specifically teaches a system for automatic driver installation (See, Paragraph 0009); with Henry, which is directed to a device side push of software to avoid user selected installation and allow an administrator to complete installation (See, col. 2, lines 17-21); with Cantwell, which requires a user to download and run an executable before available drivers can be selected or downloaded (See, Abstract); and finally with Williams which, like Rosen, avoids a user selection process relative to operating systems (See, Paragraph 3, lines 44-47).

As to newly applied reference Williams, it is cited as teaching an installation of drivers using a driver profile. However, Williams is directed to driver availability in which "information such as the ... operating system version number, and the operating system language [are] determined through automated queries." See, Abstract. This is far removed from the user being presented, via a graphical user interface, information as to various drivers and operating system options wherein the user can selected from the same. In the subject application, once a user selection is made, then the graphical user interface institutes a download of the driver and associated installation utility. Once downloaded, the utility functions to complete installation of its associated driver. Thus, Williams teaches away from the manual presentation and selection of drivers and requisite operating system properties as presented by the subject application.

Notwithstanding the incongruous teachings of the art and extensive differences with the art of record, yet further clarification has been made to render even more clearly the distinctions of the subject claims thereover. Independent claims 39, 47, 55 and 64 have been amended to include limitations wherein a user specifies driver selection and operating system selection, via a graphical user interface, from information supplied from a document processing controller. The interface, such as a web browser, commences transfer of the driver and associated installation utility prior to running thereof. (Compare also, Cantwell which requires installation and running of an executable before a driver is selected downloaded. See, Cantwell, Abstract.)

By virtue of the subject amendment, all claims now provide user-controlled selection of a driver and installation utility in accordance with a chosen operating system. Such selection is made with information supplied to the user via a graphical user interface prior to transferring of the file and installation utility. Even if it were it to be assumed for purposes of argument that the Examiner's four way combination is acceptable, all claims are now far removed from the combined teachings.

If there are any fees necessitated by the foregoing communication, the Commissioner is hereby authorized to charge such fees to our Deposit Account No. 50-0902, referencing our Docket No. 66329/14561.

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Respectfully submitted,



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